

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

STAFFORD LYDELLO CHAMBER, #0101269

PETITIONER

V.

CIVIL ACTION NO. 3:22-CV-75-KHJ-BWR

DONALD JACKSON, Warden of East  
Mississippi Correctional Facility

RESPONDENT

ORDER

Before the Court is the [24] Report and Recommendation (“Report”) of United States Magistrate Judge Bradley W. Rath. The Report recommends granting Respondent Donald Jackson’s [22] Motion to Dismiss and dismissing Petitioner Stafford Lydello Chamber’s [1] Petition for Writ of Habeas Corpus with prejudice. [24] at 1. Written objections to the Report were due May 18, 2023. *Id.* at 6–7. The Report notified the parties that failure to file written objections to the findings and recommendations by that date would bar further appeal in accordance with 28 U.S.C. § 636. *Id.* at 7.

When no party has objected to a magistrate judge’s report and recommendation, the Court need not review it de novo. 28 U.S.C. § 636(b)(1). Instead, the Report is reviewed under the “clearly erroneous, abuse of discretion and contrary to law” standard of review. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

Chamber seeks habeas relief, challenging his conviction and sentence from the Circuit Court of Madison County. [24] at 3; Resp. to Order to Show Cause [17]

at 2. He filed his [1] Petition on February 15, 2022. Jackson moved to dismiss, arguing the [1] Petition was time-barred because Chamber's deadline for filing a petition challenging his plea and sentence was April 8, 2020, and he did not file it until 2022. [24] at 3; Mot. Dismiss [22] at 9. Jackson also argued Chamber was not entitled to tolling. [24] at 3–4; [22] at 10. The Court ordered Chamber to respond to the motion, but he did not. *See* Order [23].

The Magistrate Judge recommends dismissing the [1] Petition with prejudice because Chamber filed his petition too late, and he was not entitled to tolling. *See* [24] at 5–6. Chamber did not object to the Report, and the time to do so has passed. The Report is neither clearly erroneous nor contrary to law. Accordingly, it is adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the [24] Report and Recommendation of United States Magistrate Judge Bradley W. Rath is adopted as the opinion of this Court. The Court GRANTS Respondent Donald Jackson's [22] Motion to Dismiss and DISMISSES Petitioner Stafford Lydello Chamber's [1] Petition with prejudice.

The Court will issue a separate Final Judgment consistent with this Order.

SO ORDERED, this the 23rd day of May, 2023.

s/ *Kristi H. Johnson*  
UNITED STATES DISTRICT JUDGE